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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JASON KINZER, an individual,

Plaintiff,

v.

ALLEGIANT AIR, LLC, a Nevada limited
liability company; and ALLEGIANT
TRAVEL CO. a Nevada corporation,

Defendants.

Case No. 2:15-cv-2306-JAD-PAL

**DEFENDANTS' STATEMENT
CONCERNING REMOVAL**

Pursuant to the Court's Order Concerning Removal (Dkt. # 3) dated December 7, 2015, Defendants Allegiant Air, LLC and Allegiant Travel Co. ("Defendants") submit the following Statement Concerning Removal.

1. The date(s) on which you were served with a copy of the Complaint in the removed action.

Defendants were first served with a copy of the Complaint in this matter on November 18, 2015.

2. The date(s) on which you were served with a copy of the summons.

Defendants were first served with a copy of the Summons in this matter on November 18, 2015.

3. In removals based on diversity jurisdiction, the names of any served defendants who are citizens of Nevada, the citizenship of the other parties and a summary of defendant's evidence of the amount in controversy.

This action was not removed on the basis of diversity, but Defendants note that the Court would have had original jurisdiction based on diversity if the action had been filed in federal court, as Plaintiff is a citizen of Florida, Defendants are citizens of Nevada, and Plaintiff made a pre-litigation demand for \$3,000,000.00.

4. If your notice of removal was filed more than thirty (30) days after you first received a copy of the summons and complaint, the reason removal has taken place at this time and the date you first received a paper identifying the basis for removal.

N/A

5. In actions removed on the basis of this court’s jurisdiction in which the action in state court was commenced more than one year before the date of removal, the reasons this action should not summarily be remanded to the state court.

N/A

6. The name(s) of any defendant(s) known to have been served before you filed the notice of removal who did not formally join in the notice of removal and the reasons they did not.

N/A

Dated this 22nd day of December, 2015.

JACKSON LEWIS P.C.

/s/ Steven C. Anderson

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Jackson Lewis P.C., and that on this 22nd day of December, 2015, I caused to be served a true and correct copy of the above and foregoing **DEFENDANTS' STATEMENT CONCERNING REMOVAL** via the Court's CM/ECF Filing, properly addressed to the following:

Michael A. Urban
Sean W. McDonald
THE URBAN LAW FIRM
4270 S. Decatur Blvd., Ste. A-9
Las Vegas, Nevada 89103

Attorneys for Plaintiff

/s/ Emily Santiago
Employee of Jackson Lewis P.C.

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